

Message Text

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13-12

ACTION TRSE-00

INFO OCT-01 EA-07 ISO-00 EB-07 AGR-05 CEA-01 CIAE-00

COME-00 DODE-00 FRB-03 H-02 INR-07 INT-05 L-03 LAB-04

NSAE-00 NSC-05 PA-01 AID-05 CIEP-01 SS-15 STR-04

TAR-01 USIA-06 PRS-01 SP-02 OMB-01 FEA-01 /088 W

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R 100335Z JAN 76

FM AMEMBASSY MANILA

TO SECSTATE WASHDC 1053

INFO AMCONSUL HONG KONG

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EO 11652: N/A

TAGS: ETRD, RP

SUBJ: COUNTERVALING DUTY - CERAMIC WALL TILE - PHILIPPINE COMPANY
DECIDES TOWITHDRAW FROM INCENTIVE SCHEME AS MEANS OF
TERMINATING PROCEEDNGS
REF: STATE 003777

1. EMBASSY OVER PAST WEEKS HAS MADE SEVERAL ATTEMPTS TO IMPRESS
UPON GOP OFFICIALS THE IMPORTANCE OF COMPLETING CERAMIC WALL
TILE QUESTIONNAIRE IN TIME TO PERMIT EVALUATION OF INFORMATION.
WHILE MESSAGE APPEARED TO HAVE BEEN ACCEPTED IN PRINCIPLE, IN
PRACTICE FOOT DRAGGING AND BUREAUCRATIC DELAYS CONTINUED. WE
HAVE NOW BEEN ADVISED ORALLY BY ASSISTANT SECRETARY BARRERA
OF DEPARTMENT OF FOREIGN AFFAIRS THAT CERAMIC WALL TILE COMPANY
CONCERNED HAS DECIDED TO WITHDRAW FROM REGISTRATION UNDER
INCENTIVES ACT AS A MEANS OF TERMINATING THE PROCEEDINGS.
COMPANY EXPECTS TO CONTINUE ITS EXPORTS WITHOUT BENEFIT
OF INCENTIVES ACT AND, ACCORDING TO BARRERA, WILL PROBABLY
SEEK BENEFITS OF GSP ON ITS FUTURE SALES TO THE UNITED STATES.

2. BERRERA SAID DEPARTMENT OF FOREIGN AFFAIRS WOULD INFORM
EMBASSY OFFICIALLY OF FOREGOING BY MEANS OF AIDE MEMOIRE.
BARRERA FURTHER COMMENTED THAT HE VERY MUCH APPRECIATED
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WILLINGNESS OF TREASURY TO SEND EXPERT TO MANILA TO ASSIST IN

INVESTIGATION AND THAT GOP WAS GRATEFUL FOR CONSTRUCTIVE APPROACH THROUGHOUT ON PART OF INTERESTED USG AGENCIES. HE SAID HE ALSO UNDERSTOOD POTENTIALLY PRECEDENT SETTING NATURE OF THIS CASE. HOWEVER, HE SAID, HE FELT THAT SINCE COMPANY HAD DECIDED TO WITHDRAW FROM INCENTIVES AND THUS FROM CASE, GOP COULD DO LITTLE MORE THAN ACQUIESCE.

3. COMMENT: WE ARE UNCLEAR AS TO FUTURE PROCEDURE IN THIS MATTER. WE ASSUME THAT ONCE DEREGISTRATION ON PART OF COMPANY OCCURS, CASE FOR COUNTERVAILING DUTY INVESTIGATION AUTOMATICALLY BECOMES VOID. HOWEVER, WE WOULD APPRECIATE BEING ADVISED OF WHAT FURTHER ACTION, IF ANY, IS NECESSARY ON PART OF EITHER GOP OR COMPANY TO AVOID ANY POSSIBILITY OF ADVERSE FINDING BY DEFAULT. PHILIPPINE DECISION IN THIS MATTER (WHICH SEEMS OBVIOUS EXPLANATION FOR PROCRASTINATEMENT WE ENCOUNTERED) LEAVES US WITH SOME FEELING OF ANTICLIMAX, AND IT MIGHT HAVE BEEN PREFERABLE HAD INTERESTED PARTIES DECIDED TO PROCEED WITH CASE IN INTEREST OF RESOLVING MATTER ONE AND FOR ALL. HOWEVER, IT SEEMS DIFFICULT TO URGE COMPANY TO BECOME GUINEA PIG AGAINST ITS WILL. IN MEANTIME, EMBASSY WISHES TO EXPRESS ITS OWN APPRECIATION TO DEPARTMENT AND TREASURY FOR THEIR HELPFUL EFFORTS IN THIS AFFAIR.
SULLIVAN

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Message Attributes

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Margaret P. Grafeld
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